



Governor
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY**

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AZ Board of Osteopathic Examiners
Draft Minutes for Meeting of August 11, 2007
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Board Members:

David M. Steinway, D.O., President
Stanley J. Grossman, Vice President
Arlene England, D.O.
MaryAnn Picardo, D.O.
Scott Steingard, D.O.
F. P. Wedel, D.O.

Executive Director
Jack Confer

**MINUTES OF THE PUBLIC BOARD MEETING
OF THE ARIZONA BOARD OF OSTEOPATHIC
EXAMINERS IN MEDICINE AND SURGERY**

Saturday, August 11, 2007

BOARD MEMBERS PRESENT: President David Steinway, D.O., Scott Steingard, D.O., Mary Ann Picardo, D.O., F.P. Wedel, D.O.

BOARD MEMBERS ABSENT: Arlene England, D.O. and Mr. Stanley Grossman were excused from the meeting.

STAFF / OTHERS PRESENT: Jack Confer, Executive Director
Barbara Meyers, Deputy Director
Barbara Prah, D.O., Medical Consultant
Beverly Alfson, Business/Licensing Manager
John O'Hair-Schattenberg, Investigator
Blair C. Driggs, Assistant Attorney General
Kathy Fowkes, Administrative Secretary
Doreen Borgmann, RMR, Certified Court Reporter

1. CALL TO ORDER

The Board President, Dr. David Steinway, called the meeting to order at 8:05 a.m.

2. ROLL CALL AND REVIEW OF AGENDA

The Executive Director took the roll. The Board Members listed above were present, establishing quorum for the meeting.

3. PRESIDENT'S REPORT AND CALL TO THE PUBLIC

- A. Welcome to the 3rd year Medical Students – Arizona College of Osteopathic Medicine at Midwestern University and Kirksville College of Osteopathic Medicine at A.T. Stills University
- B. The Board's custom is to ask members of the public to speak when the agenda item of interest to the person is called. If you want to address the Board on an issue not on the agenda, you will be asked to speak prior to the adjournment. All people wishing to speak should fill out a speaker form and give it to a staff member.

4. REVIEW, CONSIDERATION AND APPROVAL OF MINUTES

- A. Open Session Minutes June 2, 2007
- B. Executive Session Minutes June 2, 2007

MOTION: Dr. Steinway moved to ACCEPT the minutes as presented. Dr. Steingard seconded.

VOTE: The motion passed unanimously.

5. **REVIEW, DISCUSSION, AND ACTION ON CASE REVIEWS OF ALLEGATIONS OF UNPROFESSIONAL CONDUCT A.R.S. § 32-1855 (C through F).**

- A. POSTPONED
B. POSTPONED

C. **Patrick Marsh, D.O.** Case No. 3764 License No. 2502

MOTION: Dr. Wedel moved for an INVESTIGATIVE HEARING after Dr. Marsh has completed phase II of a PACE evaluation. Dr. Steingard seconded.

VOTE: The motion carried 4-0.

D. **Patrick Marsh, D.O.** Case No. 3862 License No. 2502

MOTION: Dr. Steingard moved for a DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

E. **Bradley Meek, D.O.** Case No. 3679 License No. 3257

Dr. Meek was present and addressed the Board.

MOTION: Dr. Wedel moved for a DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

F. **Gerald Roth, D.O.** Case No. 3868 License No. 2224

MOTION: Dr. Steinway moved for an INVESTIGATIVE HEARING. Dr. Steingard seconded.

VOTE: The motion carried 4-0.

G. **Ty Endean, D.O.** Case No. 3608 License No. 3953

Dr. Endean was present and addressed the Board. Dr. Endean was represented by counsel.

MOTION: Dr. Steingard moved for an INVESTIGATIVE HEARING. Dr. Wedel seconded.

VOTE: The motion carried 4-0.

H. **Neal Galen, D.O.** Case No. 3680M License No. 1760

Dr. Galen was present and addressed the Board.

MOTION: Dr. Wedel moved for an INVESTIGATIVE HEARING. Dr. Picardo seconded.

VOTE: The motion carried 4-0.

I. **Cynthia Barry, D.O.** Case No. 3692 License No. 2752

Dr. Barry was present and addressed the Board. Dr. Barry was represented by counsel.
The Board discussed the case with Dr. Barry.

FIRST MOTION: Dr. Steinway moved for an INVESTIGATIVE HEARING. Dr. Wedel seconded. After discussion, Dr. Steinway withdrew motion.

SECOND MOTION: Dr. Wedel moved for DISMISSAL with 20 hours Continuing Medical Education in the area of Pain Management, to be completed within 6 months. Dr. Steingard seconded the motion.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

J. **Paul Laven, D.O.** Case No. 3698 License No. 2821

Patient M.M. was present and addressed the Board.

MOTION: Dr. Wedel moved for INVESTIGATIVE HEARING. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	3		X	X	X		
NO	1	X					
ABSTAIN	0						

ABSENT	2					X	X
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ROLL CALL VOTE: The motion carried 3-1.

K. **James Bates, D.O.** Case No. 3715 License No. 1897

MOTION: Dr. Wedel moved for a DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

VOTE: The motion carried 4-0.

L. **Lynn Sweet, D.O.** Case No. 3723 License No. 3246

MOTION: Dr. Steinway moved to for an INVESTIGATIVE HEARING, and to refer this case to the Arizona Board of Physician Assistants. Dr. Wedel seconded.

VOTE: The motion carried 4-0.

M. **Douglas Bobb, D.O.** Case No. 3745 License No. 1990

Dr. Bobb was present and addressed the Board. Robert Bohm, Esq. was present as counsel for the respondent.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded the motion.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

N. **John Waytuk, D.O.** Case No. 3758M License No. 2855

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

O. **Tahirih Jensen, D.O.** Case No. 3749 License No. 3985

Dr. Jensen was present and addressed the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

P. **Tahirih Jensen, D.O.** Case No. 3743 License No. 3985

Dr. Jensen was present and addressed the Board.

MOTION: Dr. Steingard moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Q. **Charles Knouse, D.O.** Case No. 3821 License No. 3841

MOTION: Dr. Wedel moved for an INVESTIGATIVE HEARING. Dr. Steingard seconded.

VOTE: The motion carried 4-0.

R. **Joyce Richards, D.O.** Case No. 3765 License No. 2091

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

S. **Ronald Bitza, D.O.** Case No. 3568 License No. 1370

MOTION: Dr. Steingard moved for Dismissal. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

T. **Michael Dubets, D.O.** Case No. 3569 License No. 2589

Dr. Dubets was present and addressed the Board. Robert Bohm, Esq, was present as counsel for the respondent. The Board discussed the case and Dr. Dubets and Mr. Bohm answered all questions posed by the Board.

MOTION: Dr. Steingard moved for a Letter of Concern with 24 hours Continuing Medical Education, 16 hours in the area of prescribing pain medication and Pain Management, and 8 hours in the area of boundary issues, to be completed within 6 months. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman

YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

U. **Norberto Perez, D.O.** Case No. 3649M License No. 3121

Dr. Perez was present and addressed the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

V. **J. Carvel Jackson, D.O.** Case No. 3705 License No. 2543

Dr. Jackson was present and addressed the Board, and answered all questions posed by the Board.

MOTION: Dr. Wedel moved to have the case reviewed by a pain management specialist, and moved to an INVESTIGATIVE HEARING. Dr. Picardo seconded.

VOTE: The motion carried 4-0.

W. **Herbert Hitchon, D.O.** Case No. 3766 License No. 2463

Dr. Hitchon was present and addressed the Board.

MOTION: Dr. Wedel moved for DISMISSAL with 12 hours Continuing Medical Education in the area of radiation and dental care, to be completed within 6 months. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

X. **Carl Ferguson, D.O.** Case No. 3622M License No. 2244

MOTION: Dr. Steingard moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Y. **Arthur Schurgin, D.O.** Case No. 3811 License No. 2402

Robert Bohm, Esq., was present as respondent's representative. Mr. Bohm answered all questions posed by the Board.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Z. **Arlene England, D.O.** Case No. 3863 License No. 2283

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

AA. **Anthony Dominic, Sr. D.O.** Case No. 3875

License No. 1833

Dr. Dominic was present and addressed the Board. John Schufelt, Esq., was present as counsel for the respondent.

MOTION: Dr. Wedel moved for a LETTER OF CONCERN for poor documentation in patients' medical records, and inadequate informed consents, and inappropriate use of weight reduction medication, with 20 hours Continuing Medical Education in the area of use of weight reduction medications to be completed within 6 months; also, to send this case to the Arizona Regulatory Board of Physician Assistants for PA's alteration of medical records. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

BB. **Mark Griswold, D.O.** Case No. 3928

License No. 2799

MOTION: Dr. Steinway moved for approval of Interim Consent Agreement. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

6. **REVIEW, CONSIDERATION, AND ACTION ON APPLICATIONS FOR LICENSURE PURSUANT TO A.R.S. § 32-1822; PERMITS PURSUANT TO A.R.S. § 32-1829; AND RENEWALS OF LICENSES PURSUANT TO A.R.S. § 32-1825 (C-D) AND A.A.C. R4-22-109.**

A. **Janet Pragit, D.O.**

Dr. Pragit was present and answered questions posed by the Board.

MOTION: Dr. Steingard motioned to grant license contingent upon acceptance of Consent Agreement for Probation. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: Motion passed unanimously 4-0.

7. CONSIDERATION AND ACTION ON COMPLIANCE WITH TERMS OF BOARD ORDERS AND REQUESTS TO MODIFY OR TERMINATE ORDERS, PURSUANT TO A.R.S. 32-1855 (E) AND (I)

A. **Jerome Patridge, D.O.** Case No. 3850 License No. 2031

Dr. Patridge was present and placed under oath. The Executive Director reviewed the case.

The Board went to Executive Session at 10:24 a.m.

The Board returned to Open Session at 10:35 a.m.

Dr. Patridge answered all questions posed by the Board.

MOTION: Dr. Steingard moved to approve the current Board Order with the addition of an evaluation by an addiction specialist, appropriate testing, and allowable work hours to be determined by Physician and Psychiatric Evaluations. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

B. POSTPONED

C. **Michael Denicole, D.O.** Case No. 3710 License No. 2103

Dr. Denicole was present and placed under oath. Robert Bohm, Esq. was present as counsel for the respondent. Dr. Denicole answered all questions posed by the Board.

FIRST MOTION: Dr. Steinway moved to keep the current consent agreement in place as it currently stands. Dr. Steingard seconded. After discussion by the Board, Dr. Steinway withdrew the motion.

SECOND MOTION: Dr. Steinway moved to amend the current consent agreement to allow Dr. Denicole to prescribe schedule II, III, IV, and V drugs only while employed by and working at the

Meadows health care facility. Restriction of prescribing schedule II, III, IV, and V drugs remains for any and all other employment or practice. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	3	X	X		X		
NO	1			X			
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 3-1.

D. **Michael Dubets, D.O.** Case No. 3343 License No. 2589

Dr. Dubets was present and placed under oath. Robert Bohm, Esq. was present as counsel for the respondent. The Deputy Director reviewed the case. Dr. Dubets answered all questions posed by the Board. Dr. Steinway directed staff to obtain daily urine testes until Dr. Dubets enters an addiction treatment facility. Dr. Steinway also directed staff to open a new case for probation violation.

8. **REVIEW, DISCUSSION AND ACTION ON INVESTIGATIVE HEARINGS PURSUANT TO A.R.S. § 32-1855 (E) ONLY.**

A. **Charles Lindsay, D.O.** Case No. 3399 License No. 0793

Dr. Lindsay was present and placed under oath. The Executive Director reviewed the case. Dr.

MOTION: Steinway moved to table this case for further review until next meeting. Dr. Steingard seconded.

VOTE: The motion carried 4-0.

B. **POSTPONED**

C. **Lillian Puma, D.O.** Case No. 3728 License No. 2836

Dr. Puma was present and placed under oath. Harding Cure, Esq. was present as counsel for the respondent. The staff Investigator reviewed the case. The Executive Director summarized the consent agreement.

The Board went to Executive Session at 11:53 a.m.
The Board returned to Open Session at 12:03 p.m.

MOTION: Dr. Steingard moved to accept the consent agreement. Dr. Picardo seconded. Dr. Steinway requested amendment of motion to include an agreement for Probation to not dispense and not prescribe class I & II medications. Dr. Wedel seconded amendment. Dr. Steingard and Dr. Picardo accepted amendment to motion.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Dr. Puma accepted consent agreement as defined and accepted by Board.

- D. POSTPONED
- E. POSTPONED
- F. POSTPONED
- G. POSTPONED
- H. POSTPONED

- I. **F. Timm McCarty, D.O.** Case No. 3690 License No. 0855

FIRST MOTION: Dr. Steingard moved to return this case to Case Review status. Dr. Wedel seconded.

VOTE: The motion carried 4-0.

SECOND MOTION: Dr. Steingard moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

- J. **Richard Rosengard, D.O.** Case No. 3777 License No. 2056

FIRST MOTION: Dr. Steingard moved to return this case to Case Review status. Dr. Wedel seconded.

VOTE: The motion carried 4-0.

SECOND MOTION: Dr. Steingard moved for DISMISSAL. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

K. POSTPONED

L. **Leo Odle, D.O.** Case No. 3651M License No. 3357

Dr. Odle was present and placed under oath. The Medical Consultant reviewed the case.

MOTION: Dr. Wedel moved for a LETTER OF CONCERN for failure to document temperature, or follow up on chest x-ray. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	3	X		X	X		
NO	1		X				
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 3-1.

M. **Philip Bain, D.O.** Case No. 3691 License No. 2302

Dr. Bain was present and placed under oath. The Medical Consultant reviewed the case. Dr. Bain answered all questions posed by the Board.

FIRST MOTION: Dr. Steinway moved for a Letter of Concern. Dr. Steingard seconded for the purpose of discussion.

VOTE: The motion failed 2-2, with Drs. Wedel and Picardo dissenting.

SECOND MOTION: Dr. Steinway moved for a Letter of Concern. This motion was not seconded, and failed.

THIRD MOTION: Dr. Wedel motioned for a Dismissal. This motion was not seconded, and failed.

FOURTH MOTION: Dr. Steinway moved to table this case until a greater majority of the Board could be present to make a decision, and to send this case for a second Outside Review. Dr. Picardo seconded.

VOTE: The motion carried 4-0.

The Board recessed at 1:45 p.m.
The Board returned to Open Session at 2:18 p.m.

N. **Douglas Bobb, D.O.** Case No. 3782M License No. 1990

Dr. Bobb was present and placed under oath. Robert Bohm, Esq., was present as counsel for the respondent.

MOTION: Dr. Wedel moved for DISMISSAL. Dr. Steingard seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

O. **Erol LeBlanc, D.O.** Case No. 3834 License No. 3452

Dr. LeBlanc was present and placed under oath. Roger Decker, Esq., was present as counsel for the respondent. The Investigator reviewed the case. Dr. LeBlanc answered all questions posed by the Board.

MOTION: Dr. Steinway moved for an interim order for a psychiatric evaluation of Dr. LeBlanc, and to table this case until the evaluation is available for the Board to review. Dr. Steingard seconded.

VOTE: The motion carried 4-0.

P. **Kenneth Clayton, D.O.** Case No. 3842 License No. 3839

Dr. Clayton was present and placed under oath. The investigator reviewed the case. Dr. Clayton answered all questions posed by the Board.

MOTION: Dr. Steingard moved for a LETTER OF CONCERN for failure to keep and maintain records. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Q. **Charles Christopher Brooker, D.O.**

Case No. 3864

Permit No. R928

Dr. Brooker was present and placed under oath. Blair Driggs, AAG represented the State of Arizona and addressed the Board. The Deputy Director summarized the case. Dr. Brooker answered all questions posed by the Board.

MOTION: Dr. Wedel moved for PROBATION with the requirement to receive treatment and random drug testing. Dr. Wedel seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

9. REVIEW, DISCUSSION AND APPROVAL OF PROPOSED CONSENT AGREEMENT

A. **S. Foster Easley, D.O.**

Case No. 3888

License No. 3212

Dr. Easley was present and placed under oath. Charles Buri, Esq., was present as counsel for the respondent. Blair Driggs, AAG, representing the State of Arizona, addressed the Board. Dr. Easley answered all questions posed by the Board.

MOTION: Dr. Wedel moved to accept the proposed Consent Agreement. There was no second. The motion failed.

The Board directed that the Formal Administrative Hearing continue as previously scheduled.

B. **Dennis Parker, D.O.**

Case No. 3840

License No. 0819

Robert Bohm, Esq., was present as representative for the respondent. Blair Driggs, AAG, represented the State of Arizona and reviewed the case.

MOTION: Dr. Steingard moved to approve the CONSENT AGREEMENT for Probation. Dr. Picardo seconded.

	Vote	Dr. Steinway	Dr. Steingard	Dr. Wedel	Dr. Picardo	Dr. England	Mr. Grossman
YES	4	X	X	X	X		
NO	0						
ABSTAIN	0						
ABSENT	2					X	X

ROLL CALL VOTE: The motion carried 4-0.

Dr. Steinway addressed and then dismissed the medical students in attendance.

10. EXECUTIVE DIRECTOR REPORT

- A. Financial Report
- B. Open Complaints Summary
- C. Performance Measures Report
- D. Review, Consideration, Discussion and Possible Vote on Substantive Policy Statement on Board Ordered Physician Evaluations.

This matter was discussed and tabled for review.

- E. Review, Consideration, Discussion and Possible Vote on Substantive Policy Statement on Malpractice reporting by licensees.

Robert Bohm, Esq. was present and his legal input was requested by the Board during the discussion. This matter was tabled for further review.

- F. Review, Consideration, Discussion and Possible Vote on Substantive Policy Statement on Physician Prescribing to Family Members.

This matter was discussed and tabled for further review.

- G. Review, Discussion, Consideration and Possible Vote on Future Legislation Regarding Mandatory Financial Responsibility.

ADJOURNMENT

Dated this 15th day of August, 2007.



Jack Confer, Executive Director